

**IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION**

CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 418 OF 2020

Sujit Bajrang Thorat	...Applicant
Versus	
The State of Maharashtra	...Respondent

**WITH
INTERIM APPLICATION NO. 01 OF 2020**

**IN
CRIMINAL ANTICIPATORY BAIL APPLICATION NO. 418 OF 2020**

Subhash Vijay Thorat	...Applicant
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IN THE MATTER BETWEEN

Sujit Bajrang Thorat	...Applicant
Versus	
The State of Maharashtra	...Respondent

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Mr. Satyavrat Joshi i/b Mr. Nitesh J. Mohite, Advocate for the Applicant.

Mr. Sandeep S. Salunkhe, Advocate for the Intervenor.

Smt. Veera Shinde, APP for the Respondent – State.

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CORAM : PRAKASH D. NAIK, J.

DATE : 26th February, 2020

PC :

1. This is an application for anticipatory bail in C.R. No. 28 of 2020 registered with Aashta Police Station, Dist. Sangli for offences punishable under Sections 307, 324, 141, 143, 147, 149, 504 & 506 of Indian Penal Code.

2. The prosecution case is that on 24th January, 2020, the complainant was threatened to withdraw the complaint previously

filed by him and he was assaulted. On 25th January, 2020 the complainant had proceeded to Sangli to meet his advocate with his relative Pramod Vasant Divekar, Dhananjay Vasant Divekar and Amol Lalaso Dhumal. The accused followed them in two vehicles. They broke the glass of car and tried to assault Pramod Vasant Divekar. They went to Sangli. The accused chased the car of complainant and stopped them near village Tung and assaulted by Stick, iron rod, and fist blows. Accused Vinayak Pawar tried to assault Dhananjay Divekar with stone. The accused abused and threatened the complainant and other. FIR was lodged under Section 307 of Indian Penal Code.

3. Learned counsel for applicant submitted that on account of enmity between both the parties, false FIR is registered against applicant. It is submitted that the injury do not correspond to the version of the witnesses. The custodial interrogation of the applicant is not necessary.

4. Learned APP submitted that, specific role has been attributed to the applicant in the FIR as well as in the statement of witnesses recorded under Section 164 of Cr.PC. The injury certificate of injured persons Subhash Thorat & Dhananjay Divekar corroborates the prosecution case. The applicant was involved in assaulting the complainant on 24th January, 2020. He further submitted that prior

to these two incidents the FIR was lodged against the applicant on 31st October, 2018 vide C.R. No. 237 of 2018 for offences under Section 326, 504, 506 r/w Section 34 of Indian Penal Code.

5. Learned counsel for the intervenor reiterated the submissions of learned APP. It is submitted that the applicant is repeatedly involved in commission of crime. Three FIR were registered against the applicant. On account of fear the informant has left the village.

6. I have perused the FIR and investigation papers. Apart from the version of the applicant, statement of witnesses refers to the incident reflected in the FIR. They had attributed overt act to the applicant. Statement of witnesses are also recorded under Section 164 of Cr.P.C. Subhash Thorat had sustained one injury on left scapular region and Dhananjay Divekar had sustained four injuries in the nature of contusion and abrasion. Considering these circumstance, no case for grant of anticipatory bail is made out.

7. Hence, I pass the following order :

ORDER

- i) Bail Application No.418 of 2020 stands rejected and disposed of accordingly. Interim application No.1 of 2020 stands disposed of.
- ii) The observations made in this order are prima facie for considering the application for

anticipatory bail and the trial Court shall not be influenced by the same for considering application for bail and during trial.

(PRAKASH D. NAIK, J.)